
COMMONWEALTH OF VIRGINIA



OFFICE OF THE GOVERNOR Executive Order 4 (2002)

DELEGATION OF GOVERNOR'S AUTHORITY TO DECLARE A STATE OF EMERGENCY AND TO CALL THE VIRGINIA NATIONAL GUARD TO ACTIVE SERVICE FOR EMERGENCIES OR DISASTERS WHEN THE GOVERNOR IS OUT OF THE COMMONWEALTH OF VIRGINIA AND CANNOT BE REACHED

By virtue of the authority vested in me by Section 2.2-104 of the *Code of Virginia*, and subject to the provisions stated herein, I hereby affirm and delegate to the Chief of Staff, followed in protocol order by the Secretary of Public Safety, my authorities under Sections 44-146.17 and 44-75.1 of the *Code of Virginia*, to declare a state of emergency and to call forth the Virginia National Guard or any part thereof to state active duty in any of the circumstances outlined in subsections 4 and 5 of Section 44-75.1, in accordance with the following conditions:

1. Such delegation is subject always to my continuing, ultimate authority and responsibility to act in such matters.
2. Use of this delegation is contingent upon my being outside the borders of the Commonwealth of Virginia and unable to be reached so as to give my approval for the declaration of a state of emergency, as defined in Section 44-146.16 (5) of the *Code of Virginia*, or use of the Virginia National Guard.
3. This delegation is strictly standby in nature, to be held in abeyance until such time as there may be explicit circumstances involving an emergency whereby human lives and public and private property are threatened in the event of natural or man-made emergencies or disasters.
4. If the authority granted under this order is used, I am to be informed of such use as soon as practicable.

This Executive Order shall be effective upon its signing, and shall remain in full force and effect until January 31, 2006, unless sooner amended or rescinded by further executive order.

Given under my hand and under the seal of the Commonwealth of Virginia this 12th day of January 2002.

Mark R. Warner, Governor

Attest:

Secretary of the Commonwealth